

DEFENDANT'S MOTION IN LIMINE NUMBER 16

EXHIBIT 2: Deposition of Glenn Clark

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF ALABAMA
3 NORTHERN DIVISION
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6 HAZEL ROBY, as Administratrix
7 of the Estate of RONALD TYRONE
8 ROBY, Deceased,

Plaintiff,

9 VS.

10 BENTON EXPRESS, INC., et al.,

11 Defendants.
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15 The testimony of GLENN E. CLARK, JR.,
16 taken at Bozeman, Jenkins & Matthews, 114
17 East Gregory Street, Pensacola,
18 Florida, on the 5th day of October, 2005,
19 commencing at approximately 2:15, o'clock,
20 p.m.
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23

COPY

1 A Just the procedure, the way we're doing
2 it.

3 Q Did you say just the way you're doing it?

4 A Yes, sir.

5 Q Okay. And have you ever -- did anybody
6 train you, for example, or was there a terminal
7 manager there before you and said, hey, this is how
8 we do it?

9 A I don't -- I don't remember.

10 Q Has any drivers ever at Benton Express
11 ever called in -- when they're doing a line-haul
12 delivery, called in once every hour while on the
13 road?

14 A No.

15 Q I'm sorry?

16 A No.

17 Q And have you ever requested that they do
18 that?

19 A No.

20 Q Do you know if there is any requirement
21 for city drivers to call in every hour?

22 A Yes.

23 Q And is that something you request them to

1 do?

2 A Yes.

3 Q And is that something you enforce?

4 A Yes.

5 Q But that is not anything that you enforce
6 as it relates to line-haul drivers?

7 A That's correct.

8 Q I'm sorry. You may have answered. I'm
9 sorry. I didn't hear.

10 A Yeah.

11 Q You do not require line-haul drivers to
12 call in every hour?

13 A That's correct.

14 Q I seen a sheet called a daily log trip.
15 Does line-haul drivers ever fill those sheets out?

16 MR. BROCKWELL: Hey, do you have a
17 Bates number on that, Labarron?

18 MR. BOONE: It may be in there.

19 Madam Court Reporter, do you see a
20 sheet in there that's called a daily log
21 trip?

22 THE COURT REPORTER: Is that it?

23 MR. BOONE: At the top of it?